**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

UNITED STATES OF AMERICA,
                    Plaintiff,
            v.   CASE NO. 3:14-cr-55
JAMES P. LEDONNE,
                    Defendant.

DEFENSE COUNSEL'S MOTION TO WITHDRAW

COMES NOW William J. Cohen, counsel for the defendant, and respectfully moves for

leave of Court to withdraw as counsel for the defendant, and in support thereof states the

following:

1.   On September 5, 2014, this Court issued an order requesting that counsel see the

        defendant and report back to the Court on the status of counsel's representation.

        [DE76]

2.   On September 4, 2014, counsel met with the defendant at the jail.

3.   Counsel is a CJA appointed attorney representing the defendant.

4.   This is a seventeen (17) count Indictment charging the defendant with Counts 1

        through 11 of wire fraud (18 U.S.C. § 1343), Counts 12 through 14 of mail fraud

        (18 U.S.C. § 1341), Count 15 of conspiracy to commit mail and wire fraud (18

        U.S.C. § 1349), Count 16 of interstate transportation of stolen property (18

        U.S.C. § 2314), and Count 17 of bankruptcy fraud (18 U.S.C. § 157).

5.   This is a complex case. It has enormous discovery and may take two weeks to try.

6.   On August 26, 2014, the defendant sent a letter [DE66] to the Court telling the

Court that the defendant had terminated my services.

7.   In response to the defendant's termination letter [DE66], on August 28, 2014, counsel for the defendant sent the defendant a letter giving the defendant notice of counsel's intention to withdraw. Counsel furthermore submitted a consent for the defendant to sign authorizing counsel to withdraw his appearance.

8.   After sending notice of my intention to withdraw, counsel for the defendant received another letter from the defendant to the Judge [DE67] asking the Court to strike the defendant's letter of August 22, 2014. [DE66]

9.   Thereafter, on September 2, 2014, counsel received two more letters from the defendant directed to the Court, [DE69] and [DE70], again criticizing my representation of the defendant and again requesting that the defendant be allowed to proceed pro se.

10.   After receipt of the defendant's termination letter [DE66], counsel reviewed the Local Rules for the Northern District of Indiana, Rule 83.8, and CJA Rule VIII. Based upon the Local Rules of Court, even though the defendant had terminated my services, counsel had a continuing duty to file any pretrial motions by September 4, 2014.

11.   On September 4, 2014, counsel filed a Motion to Suppress {DE72] and Brief in Support [DE73] on defendant's behalf seeking to suppress any and all evidence seized by the Government from the defendant's home and business.

12.   Thereafter, on September 4, 2014, counsel received another letter from the defendant to Judge DeGuilio [DE71] requesting that this Court reconsider its Order of August 19, 2014 [DE65] and again criticizing my representation of the

defendant as being ineffective.

13.   When I met with the defendant on September 4, 2014, the defendant refused to

sign the consent for me to withdraw as his counsel. The defendant again

requested that I remain as his attorney. He wanted me to file a motion to

reconsider the denial of his pretrial release.

14.   I advised the defendant that in light of everything I could no longer represent him,

but I would file a motion to reconsider since I am still counsel of record and then I

was going to file a motion to withdraw.

WHEREFORE, counsel respectfully requests leave of Court to withdraw as counsel for

the defendant, and for all further relief proper in the premises.

                              /s/ William J. Cohen
                              William J. Cohen, #3291-20
                              Attorney for Defendant
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                              Elkhart, IN 46514
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CERTIFICATE OF SERVICE

I certify that on the 9th day of September, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notice of this filing to all counsel of record.

                              /s/ William J. Cohen